

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF:)	
)	
AFY, INC., f/k/a Ainsworth Feed Yards)	CASE NO. 10-40875
Company, Inc.,)	Chapter 11
)	
Debtor.)	

MOTION TO PAY FUNDS

Plaintiff, Joseph H. Badami, Chapter 11 Trustee ("Trustee") of the Debtor, AFY, INC., f/k/a Ainsworth Feed Yards Company, Inc. ("Debtor"), and respectfully requests that the Court order that the funds that have been received by the Trustee for the sale of Tract 4 be remitted to the secured creditor Farm Credit Services. In support of the motion, the Trustee shows the Court the following:

1. On May 26, 2010, this Court entered the Order (FiL. #140) which provided, in part, that "[a]s to Tract #4 the Motion to Compel (Fil. #124) is settled. Robert Sears consents to sign the deed on behalf of Sears Cattle Co. to Tract #4 by close of business on Friday, May 28, 2010. Proceeds are to be held by the Trustee pending further court order or agreement of parties to the sale."

2. Tract #4 has been closed and the proceeds of \$430,944.30 have been transmitted to the Trustee and these funds are being held in an account as required by the Court's Order (Fil. #140).

3. Farm Credit Services, who held the highest priority creditor encumbrance on Tract #4 is still not completely paid and is currently owed more than the proceeds from Tract #4.

WHEREFORE, the Trustee respectfully requests that the Court order that the funds from Tract #4 shall be paid to Farm Credit Services.

DATED: June 15, 2010.

JOSEPH H. BADAMI, TRUSTEE

BY: s/ James A. Overcash
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CERTIFICATE OF SERVICE

I hereby certify that on June 15, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following:

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and I hereby certify that I have caused to be mailed via First Class United States Mail, sufficient postage prepaid, the foregoing document to the following parties:

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